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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/656,534	09/05/2003	Kyong-Mo Bang	TESSERA 3 . 0-328	8773
38091	7590	10/23/2006	EXAMINER	
TESSERA LERNER DAVID et al. 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090			WILLIAMS, ALEXANDER O	
			ART UNIT	PAPER NUMBER
			2826	

DATE MAILED: 10/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/656,534

Applicant(s)

BANG ET AL.

Examiner

Alexander O. Williams

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 August 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10, 12-18, 20-37 and 39-47 is/are pending in the application.
- 4a) Of the above claim(s) 1-8, 14-16, 22, 23, 33 and 34 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17, 18, 20, 21, 24-32, 35-37 and 39-45 is/are allowed.
- 6) ☒ Claim(s) 9 and 10 is/are rejected.
- 7) ☒ Claim(s) 12 and 13 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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Serial Number: 10/656534 Attorney's Docket #: TESSERA 3.0-328

Filing Date: 9/5/2003; benefit priority to U.S. Patent Provisional Application 60/408644, filed 9/6/2002

Applicant: Bang et al.

Examiner: Alexander Williams

Applicant's Amendment filed 8/3/06 to the election of Group I (claims 9-13, 17-21, 24-32 and 35-45), filed 2/7/05, has been acknowledged. Applicant previously elected the species of figures 1-5.

This application contains claims 1-8, 14-16, 22, 23, 33 and 34 drawn to an invention non-elected without traverse. A complete response to the final rejection must include cancellation of non-elected claims or other appropriate action (see 37 CFR § 1.144 & MPEP § 821.01).

Claims 11, 19 and 38 are cancelled.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

Patentability shall not be negated by the manner in which the invention was made.

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This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

Claims 9 and 10 are rejected under 35 U.S.C. § 102(b) as being anticipated by Takemura et al. (U.S. Patent # 6,184,577 B1).

9. Takamura et al. (figure 1) show a semi-finished circuit board assembly comprising: (a) a circuit board **21,22** having a top surface and contact pads **33** exposed at said top surface; (b) a bottom unit including at least one bottom unit chip **10**, said bottom unit having mounting connections **11,31** facing downwardly toward said circuit board and top connections facing upwardly away from said circuit board, at least some of said mounting connections **33** being aligned with at least some of said contact pads, at least some of said top connections being unoccupied and available to receive one or more additional microelectronic elements, at least some of the unoccupied top connections of said bottom unit overlying at least one said bottom unit chip.

10. A semi-finished circuit board assembly as claimed in claim 9, Takemura et al. show wherein said top connections are adapted (**Note: This use of "adapted" only claims that the top connection can be used to have additional micro electronic elements mounted, it does not claims the structure of microelectronic elements fixed on the unit**) for surface mounting of said one or more additional microelectronic elements to said top connections.

Claims 12 and 13, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 17, 18, 20, 21, 24-32, 35-37 and 39-45 are allowed.

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## Response

Applicant's arguments filed 8/3/06 have been fully considered, but are moot in view of the new grounds of rejections detailed above.

The listed references are cited as of interest to this application, but not applied at this time.

Field of Search	Date
U.S. Class and subclass: 257/686,685,777,723,700,701,758,725,728,778,779,780, 784,786,737,734,738,692,693 361/783,760,767,768,770,771,803	4/29/05 1/24/06 10/12/06
Other Documentation: foreign patents and literature in 257/686,685,777,723,700,701,758,725,728,778,779,780, 784,786,737,734,738,692,693 361/783,760,767,768,770,771,803	4/29/05 1/24/06 10/12/06
Electronic data base(s): U.S. Patents EAST	4/29/05 1/24/06 10/12/06

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander O. Williams whose telephone number is (571) 272 1924. The examiner can normally be reached on M-F 6:30-7:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on (571) 272 1915. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Alexander O Williams  
Primary Examiner  
Art Unit 2826

AOW  
10/13/06